

GARDNER DEFEES MAZET AND HIS COMMITTEE.

District Attorney Refuses to Appear Before Them on the Ground That They Have No Authority.

He Tells Them They Ceased to Exist When the Legislature Adjourned, and Quotes the Law to Prove It.

An Unmitigated Nuisance, He Informs Them They Are Considered, and Are Simply Making Political Hay.

The Mazet Committee rubbed its toe yesterday on District Attorney Gardner. The Colonel had been subpoenaed to appear before the body, and copious advertisement of time and place—Monday, in Part XI. of the Supreme Court—had been made. A large assemblage gathered glibly to turn thumbs down when the district attorney, with a look of the fiercest of gladiators, should appear to them.

It didn't happen that way. Colonel Gardner, in answer to the subpoena, wrote a letter to the committee declining flatly to appear, and standing on his right to ignore the bidding of the body as one "without lawful authority to issue a subpoena, to swear a witness or examine one."

The District Attorney told the committee they were considered an "unmitigated nuisance," that their whole object was political hawking for the coming Presidential election; that they were brazen and indecent in their assumptions.

Thus the grilling of Colonel Gardner did not come off, and Gladstone Moss dismissed the matter by saying he would not ask the District Attorney to indict himself, but would ask the committee to report the facts to the Legislature.

"I have no doubt," he concluded, "that it is able to look after its own dignity."

Colonel Gardner's letter is long. The following important paragraphs are quoted: "You have now, by service of your so-called subpoenas, for the first time asserted a claim of right to withdraw my attention from my public duties and the extraordinary trial in which I am engaged, to appear before you."

It becomes therefore my duty to announce a fact you well know—that you are absolutely without lawful authority to issue a subpoena, or to swear a witness, or to examine one."

Two days after I voluntarily appeared before you, the Supreme Court Criminal Term dismissed an indictment found against a defendant for alleged failure to testify before the so-called Mazet Committee, on the ground that when the Legislature has by concurrent resolution adjourned, the committee can be continued by the House with legislative power."

Your summons to me for this month, after election, has been expected, being part of the plan of three things to be done by the Legislature and by your political associates, formulated last December, as a preparation for the Presidential campaign."

The determination to punish the leader of the Democratic party in this county for his opposition to the proposed Amendment, which he should go ahead, forced you, earlier than expected, to introduce an indictment resolution that finds were being raised by levy upon members of the police force and saloon and resort owners, and by other contributions, for use in corruptly influencing legislation."

The Assembly to which you belong would have sat until December 1st. It, however, deliberately decided, in conjunction with the Senate, that further legislation was unnecessary and adjourned its powers."

The rest of the Mazet session was without special importance.

GAS WAR WAGED IN A BIG TENEMENT HOUSE.

Consolidated Ousts New Amsterdam, and Holds the Fort Against an All-Day Assault.

Rival gas battalions struggled for the privilege of supplying the tenement at Nos. 123 and 125 Ludlow street from early morning till late afternoon yesterday. In the end cheap gas won.

When the gas war began in the Spring Joseph Berger, who owns the building, made a deal with the New Amsterdam Company, which agreed to supply all his tenants at fifty cents the thousand feet and light the halls and janitor's rooms free.

When the New Amsterdam Company refused to alter the price to \$1.10 the Consolidated sent a canvasser named Joseph Mandelkern, who induced the thirty-six families to take its sixty-five cent gas.

The meters were changed on Saturday. The New Amsterdam Company complained to Landlord Berger, who ordered Mandelkern to take the meters out or else light his halls free. Mandelkern refused.

Bright and early yesterday the Consolidated sent a force of heavily armed men to hold the fort. When the rival company's men arrived the tenants mobbed them. In vain Charles Gaul, the New Amsterdam leader, told them his price would be forty cents a thousand. Mandelkern delivered a yiddish oration to the effect that Gaul's offer was a trick.

The tumult ensuing brought a policeman, who had his hands full of trouble for the rest of the day. Landlord Berger avoided the place completely.

At 6 o'clock the New Amsterdam forces retired, leaving the sixty-five cent gas in possession of the field, backed by cheering tenants.

FIRE FROM AMBUSH. WRONG MAN WAS SHOT.

Winsted, Conn., Nov. 27.—While driving from Winsted to his home in North Norfolk last night David M. Drinkwater, supervisor of masonry on the Naugatuck division of the New York, New Haven & Hartford Railroad, was fired on at close range, and eighteen buckshot from a shotgun lodged in his arms and chest.

Drinkwater drove home and fell unconscious. Charles Hart, a farm hand, has been arrested, charged with threatening to kill John B. Green and family, living next to the Drinkwater place. It is believed, while took Drinkwater for Green.

Malt-Nutrine
acts quickly and digestion, tones the entire system, benefits the sick and the well. It is one of the perfect products of the Malt-Nutrine Brewery.

THE BATTLE ON MARCH TO KIMBERLEY. FAIR OF BRITISH LANCERS STILL IN DOUBT.

Lord Methuen's Column Met the Boers Ten Miles North of Gras Pan---Result Is Not Known.

Berlin, Nov. 27.—Newspapers announced to-night from Boer European sources that General Lord Methuen advanced beyond Gras Pan and attacked the Boers to-day.

They assert that the British were repulsed with great slaughter. The Boers got around in the British rear and shot down over one hundred of the naval brigade.

The Ninth Lancers, who dashed ahead after last Saturday's battle, it is declared, have been captured.

London, Nov. 27.—England has had no news from Lord Methuen since last Saturday's fight, and only a partial list of the casualties of that battle has come through.

He has not yet reported the return of the Ninth Lancers, and the fear that they have been captured is growing.

There have been rumors all day of another battle, but nothing definite is known. There are rumors also that the Boers are cutting in behind General Methuen and bringing men across from Natal for the purpose of cutting his communication with his base.

General Clery's advance in Natal is very slow, and no action is reported there as yet.

Cape Town, Nov. 27.—It is reported that General Methuen has captured Honey Nest Kloof, ten miles north of Gras Pan, and two million rounds of ammunition.

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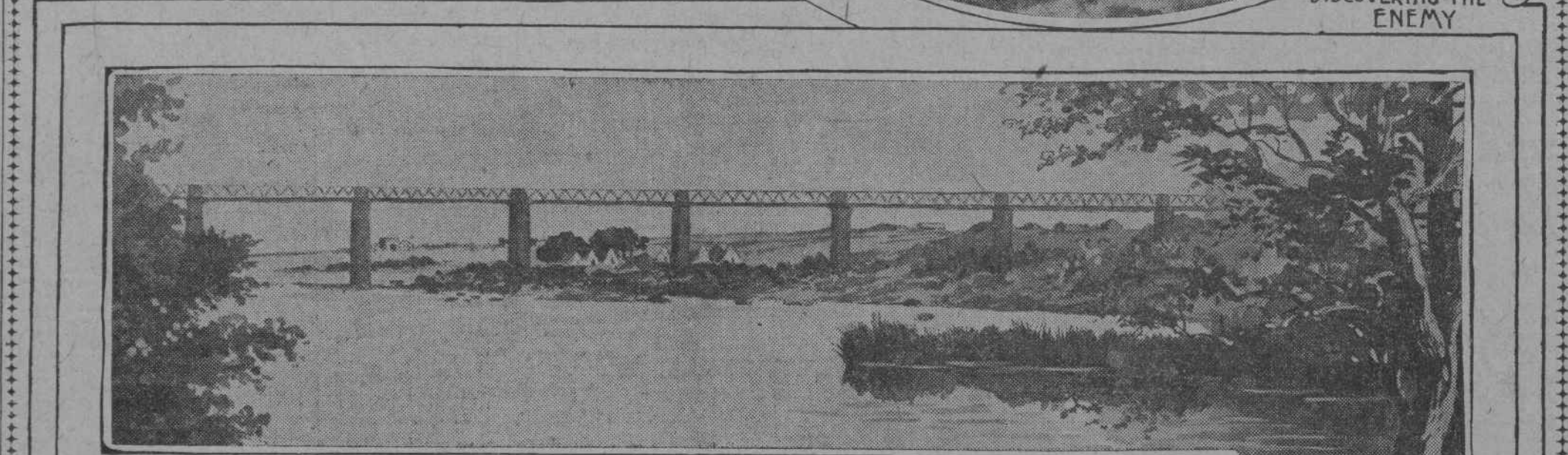
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9TH LANCERS DISCOVERING THE ENEMY



MODDER SPRUIT BRIDGE BLOWN UP BY THE BOERS

BRITAIN NOTIFIES US THAT SHE IS AT "WAR."

Washington, Nov. 27.—Great Britain's announcement, made to the Government through Lord Pauncefote, that a state of war exists in South Africa, indicates Great Britain's realization of the seriousness of the state of affairs there.

Great Britain has a two-fold object in this announcement: She desires to prevent succor being sent to the Boers in the shape of ammunition and expeditions for the relief of the Dutch Republics, and she will force the hands of Russia and France.

A state of war in South Africa, formally acknowledged, means declarations of neutrality by uninterested nations logically, and, while such declarations are not compulsory, the assumption is that all the important powers of the world will make the same.

All Europe, it seems, is privately assisting the Boers. It is estimated that at least one hundred expeditions to the Transvaal are in course of preparation in various European countries. It is to prevent the execution of these secret plans that Great Britain was forced to take a position which is regarded in diplomatic circles as somewhat humiliating, in view of her past contentment that only a rebellion was in progress in South Africa.

It may be stated that during the past two days Lord Pauncefote addressed two notes to the State Department, urging the United States to exercise great watchfulness to prevent the sailing of filibustering expeditions from these shores.

A proclamation of neutrality by the United States is expected to be published within a few days. It may be published to-morrow.

Great Britain has now the right of search. She can stop all vessels in hunting for out-traders of war and seize any arms or ammunition that may be aboard.

Whether or not a state of war exists, support can issue letters of marque and reprisal and fit out privateers in the South Sea, so far as the United States is concerned. The belief here, however, is that they may fit out privateers in theory, but in practice will be unable to do so, as Great Britain will consider that any expeditions in the interest of the Dutch republics, whether authorized by these republics or not, will be violations of the neutrality laws.

This Government has decided to stand by the Boers, against whose action in distributing money in aid of British prisoners President Kruger has protested.

Another sum of money, to be used in the interest of the British prisoners at Pretoria, was forwarded to Mr. Macrum to-day. As Mr. Macrum will proceed to discharge this money as he sees fit, it is expected that President Kruger will raise the issue on which will depend whether Mr. Macrum be allowed to perform his humanitarian work or be expelled from the Dutch Republic.

State Department officials predict that President Kruger will yield. They contend that he will not permit himself to be the subject of international condemnation and so lose whatever respect he now enjoys. He is believed to be retreating on the case of Lieutenant Hobson and the other prisoners of the Meridiana.

New South African Cable Opens.
The Commercial Cable Company yesterday issued the following notice: "We are advised that a cable has been laid between St. Helena and Cape Town and is now open for telegrams."

\$6.95 for Men's Fine Overcoats.
(Value \$15). Sale Till Turkey Day. Two days' sale at KING'S CLOTHING CORNER, BROADWAY AND PARK PLACE. To-day and Wednesday, at \$6.95, men's well tailored overcoats, made from imported melton, jersey, cassimere and flannel, only \$6.95; all the new Oxford shades; also blue, black or brown. This is a special \$6.95 offer before Thanksgiving Day. Also men's overcoats and waistcoats at \$1.50 and \$2.25, worth \$4. King's Clothing Corner, Broadway and Park Place. 30 lots of men's worsted suits (with double-breasted vests), \$7.95.



MACFARLANE'S FARM, NEAR KIMBERLEY. WHERE COL. SCOTT TURNER LED THE CHARGE OF THE NORTH LANCASHIRES ON OCTOBER 24TH

Scenes and Incidents in the Kimberley Campaign.

The British Losses in the Battles of Gras Pan and Beacon Hill.

In addition to COMMANDER ALFRED PEEL, ETHELSON, MAJOR JOHN H. PLEMBE and CAPTAIN GUY SENIOR, killed, and FLAG CAPTAIN ARTHUR PROTHERO and LIEUTENANT WALTER T. C. JONES, wounded, as announced in Sunday's dispatches, the Naval Brigade lost at the battle of Gras Pan:

MIDSHIPMAN CYMBELINE ALONZO E. HUBBARD, of the cruiser Doris, killed. He was commissioned in 1897. Casualties at Beacon Hill, Natal.

Officers killed..... 15
Sailors and marines killed..... 19
Officers and men wounded..... 72
Captured (Major Hobbs)..... 1
Total casualties..... 106

*This does not include the missing, of whom the official report says there are several.

PROGRESS OF THE 3 BRITISH DIVISIONS.

EASTERN DIVISION. MIDDLE DIVISION. WESTERN DIVISION.

General Hildyard Defeats the Boers at Beacon Hill, Near Estcourt.

London, Nov. 27.—The War Office has received the following dispatch from General Buller, dated Pietermaritzburg, Natal, Sunday, November 26:

"Hildyard, from Estcourt, with three battalions, one field battery, a naval gun, and 700 mounted troops, on the enemy occupying Beacon Hill, which dominates William Graunge, and had interrupted his communication."

"As a result of the operations, the enemy is retreating, and the railway and telegraph lines have been restored between Estcourt and Weston."

"Our loss was about fourteen killed and fifty wounded. (Later reports give fifteen killed and seventy-two wounded and several missing, including Major Hobbs, captured.)"

"Hildyard has advanced to a position near Frere, as he hopes to cut off the enemy, who is believed to be retreating on the case of Lieutenant Hobson and the other prisoners of the Meridiana."

"Barton, from Weston, has advanced to Estcourt. As soon as communication is restored, I will telegraph particulars."

"So far as I can make out, the operation is one for which Hildyard and the troops deserve much credit."

"The railway is now open to Frere."

Estcourt, Sunday, Nov. 26.—The railroad bridge at Frere, spanning a wide stream, has been destroyed by the Boers, who are reported to be retreating rapidly.

Bands of Boers Are Doing Great Damage in Northern Cape Colony.

London, Nov. 27.—The outlook in Cape Colony is dark for the British. That General Gatacre has no easy task is proved by the latest dispatches from Queenstown and elsewhere, showing that the majority of the population on the frontier have openly declared themselves on the side of the Boers.

Bands of Boers are doing immense damage over a wide area and they have now appeared south of Stroomberg. General Gatacre, however, moves to the front to-day, so it is hoped by the British, the invasion will soon be stemmed.

A meeting of refugees from Allval North, the constituency of Mr. J. W. Sauer, the Commissioner of Public Works, held at Queenstown Sunday, passed a resolution of "distrust and alarm" at Dr. Sauer's visit to the border, "which has been followed by such an outbreak of treason and rebellion."

The resolution, which has been sent to Sir Alfred Milner, adds: "The refugees do not grudge any sacrifices, provided British supremacy is re-established."

M. Dony's Corbin concluded with urging a more active policy in China.

Paris, Nov. 27.—In the Chamber of Deputies to-day M. Dony's Corbin, leader of the Clericals, expressed surprise at the importance attached to Anglo-French newspaper polemics, which, he said, were only froth. He thought the war in South Africa gave the opportunity to seek certain settlements. Although he disapproved of the shaking, he equally disapproved of the policy of crossed arms. Nationalist cheers greeted this statement.

M. Dony's Corbin concluded with urging a more active policy in China.

M. Delcasse then moved the re-establishment of the credit for an Embassy at Vientiane, which was adopted by 349 to 202 votes.

Lord Methuen's Column Will Have to Fight a Decisive Battle at Modder River.

London, Nov. 27.—To General Methuen, it appears, belongs the honor of the first real British victory of the present war, as Belmont was the first battle after which the British advanced instead of retreating.

The fact that General Methuen was forced to fight a second pitched battle near the scene of the first, shows the Boers were not demoralized at Belmont, but quickly rallied and with unabated courage met the splendid assault of the British Naval Brigade at Gras Pan.

The excellent military qualities displayed by the Boers in these two fights were not partially derived from the training of Commandant Albrecht, a former officer of the Austrian army.

Undoubtedly, a decisive action will have to be fought at the Modder River before Diamondopolis is relieved.

There is some doubt as to what is meant in the statement that the Boers are falling back on Warrenton, which is fifty miles north of Kimberley, unless it simply means that they are retreating.

The latter, however, is said to be far too cautious to be caught by such a trick, and it is added, it can be confidently anticipated that his column will sweep steadily forward in spite of the determined resistance he will meet with.

It seems that the conclusion must be reluctantly reached that the Boers are definitely not demoralized at Belmont, but quickly rallied and with unabated courage met the splendid assault of the British Naval Brigade at Gras Pan.

Two Ways for Cost of One.
November 29 the Lackawanna Railroad will sell tickets from New York to Niagara Falls and return for one fare; good to return to and including December 4.

"CUBA LIBRE" CRY IS AGAIN RAISED.

Catalonians Excite Vedado--False Rumor of a Rebel Plot.

Havana, Nov. 27.—Five hundred Catalonians ran through the streets of Vedado last night with standards, crying "Viva Cuba Libre!" and "Viva Catalonia!" and "Viva Maximo Gomez!" Many citizens joined in the cheering evoked by the cry for free Cuba.

There was a gathering of 2,000 persons in the cemetery to-day to commemorate the execution of eight Cuban students by Spanish volunteers in 1871. Many clubs were represented.

Further Royal, who celebrated mass, spoke briefly, declaring that the execution was an act of murder. In the course of his remarks he said that he himself was "more a Cuban than a priest, and ever ready to sacrifice life for the independence of Cuba."

A procession was then formed and moved to the Piedad, where a memorial stone was unveiled.

Absolutely nothing is known at headquarters in this division or in General Lee's division, of the report published in the United States, that a thousand armed Cuban insurgents have taken to the woods in the province of Pinar del Rio, and that a general uprising against the Americans has been planned for Thanksgiving Day. The story is discredited by all.

AIMEE LAWRENCE WED TO DOUGLAS WALTER CAMPBELL.

American Girl United by Civil Ceremony to the Grandson of the Duke of Argyll.

Paris, Nov. 27.—The civil marriage of Douglas Walter Campbell, only son of the late Lord Walter Campbell, and grandson of the Duke of Argyll, and Aimee, daughter of the late John Lawrence, of New York, took place to-day in the Town Hall of the Sixteenth Arrondissement, in the presence of intimate friends of both families.

General Horace Porter, the United States Ambassador here, and Mr. Austin Lee, Charge d'Affaires of the British Embassy, were the witnesses.

The religious ceremony will take place to-morrow.

PRINCE OF WALES TAKES KAISER WILHELM HUNTING.

Game Is Plenty, for Covers in Wolferton Woods Have Not Been Shot This Season.

Sandringham, Nov. 27.—Emperor William, the Prince of Wales and the Duke of York went shooting in the Wolferton Woods, to-day, and the Imperial and royal ladies joined the party at lunch.

The covers have not been shot this season, and game was plentiful.

Wilhelmina to Meet Emperor at Flushing.

The Hague, Nov. 27.—Queen Wilhelmina and her mother start for Flushing Wednesday, to meet the Emperor and Empress of Germany, on their arrival from England.

CROKER'S HOPES IN SULZER AS HOUSE LEADER.

Tammany Chief, Who Sails To-day, Says the Choice of the New Yorker Would Aid Democracy in 1900.

The East, He Declares, Would Then Line Up with That Party in the Presidential Fight—Asks All to Aid.

Carter Harrison Croker's Choice for Bryan's Running Mate—Fears for Cheap Gas Just Now in New York.

Richard Croker will sail for Europe this morning on the Kaiser Wilhelm der Grosse. His travelling companions will be Mrs. and Miss Warren, his sister and niece. The Tammany chief spent yesterday in bidding good-by to his friends.

His chief interest just now seems to be in the success of the fight William Sulzer is making for the minority leaders of the House of Representatives.

"I want Sulzer to get the place," he said, "because it will benefit the Democratic party, and I ask all of our friends to stand by him loyally."

In my judgment, concurred in by the leaders here, his selection will strengthen the party in the East, especially in this State and in New Jersey. It will aid us to carry these States in the next Presidential contest.

"I want my friends West and South to help Mr. Sulzer, because he knows how important this matter is to the party at this critical time. No mistake will be made in choosing him."

Last Saturday afternoon John C. Sheehan and Senator Munzinger had another long and friendly talk. With the help of Croker, Sheehan got more patronage for his friends in the Ninth.

Friendly with Sheehan.
After the Journal's exclusive story that Croker and Sheehan had shaken hands and resumed friendly relations, several newspapers quoted Croker as saying, "I will not prevent you from beating him next year." Croker was asked about it yesterday.

"I never said it," he replied. "I want it to be known that my relations with Mr. Sheehan are just as friendly as with any other leader. Sheehan is the choice of the people of the Ninth District, and shall stand by him."

When asked about national affairs Croker said: "I believe that William Jennings Bryan will be the Democratic Presidential candidate next year, and if he is he will have most loyal support from Tammany Hall. The vital